

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:)	
)	CASE NO. 10-64566
JAMES D. PACE)	
HEATHER M. PACE)	CHAPTER 13
)	
DEBTORS.)	JUDGE KENDIG

OBJECTION TO PROOF OF CLAIM

Now come Debtors, James D. Pace and Heather M. Pace, by and through counsel, and objects to Claim Number 6 of Chase Home Finance LLC, 3415 Vision Drive, Mailstop: OH-7302, Columbus, Ohio 43219. Said Claim was filed on December 2, 2010, in the amount of \$92,418.49. The real estate located at 3125 Moffet Road, Lucas, Richland County, Ohio, has not been foreclosed on as of December 2, 2010. Debtor states this claim should not be paid in full as said real estate has not been sold at Sheriff's sale and a deficiency balance has not been determined. Further, Debtors state that their Chapter 13 plan makes no provisions to repay any deficiency balance and no objections were filed to the confirmation of the plan.

Accordingly, Debtor requests that this claim be disallowed in its entirety for purposes of distribution and Chase Home Finance LLC be denied in its entirety for purposes of distribution.

Respectfully submitted,

/s/ R. Joshua Brown
R. Joshua Brown [0008452]
Attorney for Debtor
32 Lutz Avenue
Lexington, OH 44904
T: 419-884-0655 / F: 419-884-3416
Bk-rbrown@neo.rr.com

NOTICE OF OBJECTION TO CLAIM

Attorney R. Joshua Brown has filed papers with the Court making an Objection to Claim. *Your rights may be affected.* You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to approve the Objection to Claim or if you want the Court to consider your views on the Objection, then on or before **FEBRUARY 9, 2011**, you or your lawyer must file a written response with the Bankruptcy Court explaining your position, at:

Clerk of Courts
US Bankruptcy Court
Northern District
Ralph Regula Federal Bldg and US Courthouse
401 McKinley Avenue S.W.
Canton, Ohio 44702

If you mail your request to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

Toby L. Rosen, Trustee
Charter One Bank Bldg.
400 W Tuscarawas Street, 4th Fl
Canton, Ohio 44702

US Trustee
US Courthouse
201 Superior Ave E, #441
Cleveland, OH 44114

R. Joshua Brown
Attorney for Debtors
32 Lutz Avenue
Lexington, Ohio 44904

If you or your attorney do not take these steps, the Court may decide that you do not oppose the Objection to Claim and may enter an Order granting that relief.

Date: 1/10/2011

/s/ R. Joshua Brown
R. Joshua Brown (0008452)
Attorney for Debtors

CERTIFICATE OF SERVICE

The undersigned certifies that the Objection to Claim and Notice was electronically transmitted on or about January 10, 2010 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice List:

Toby L. Rosen
lweir@chapter13canton.com

The undersigned further certifies that the Objection to Claim and Notice was served the 10th day of January, 2011, by ordinary U.S. Mail, postage prepaid, on the following parties:

Chase Home Finance LLC
3415 Vision Drive
Mail Stop OH4-7302
Columbus, OH 43219

James and Heather Pace
1174 Chew Road
Mansfield, OH 44903

/s/ R. Joshua Brown
R. Joshua Brown [0008452]
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